

Serial No. 48363

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. SEP 06 1984

Returned to applicant for correction.

Corrected application filed. Map filed SEP 10 1984

The applicant Gary D. Boyer

414 E. 6th Street of Gordon
Street and No. or P.O. Box No. City or Town

Nebr. 69343 hereby make application for permission to change the
State and Zip Code No.

Change the Point of Diversion and Place of Use of a Portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application No. 31434

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 5.4 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T. 3 N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R. 53 E., M.D.B. &M., or at a point from which the NW corner of
distance to a section corner. If on unsurveyed land, it should be stated.
Section 6, T. 3 N., R. 53 E. bears N. 50°08' W. 10,264 feet.
6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 4 N.,
If point of diversion is not changed, do not answer.
R. 54 E., M.D.B. &M., or at a point from which the N $\frac{1}{4}$ corner of
said Section 13 bears N. 45°00' W. 141.42 feet
7. Proposed place of use N $\frac{1}{2}$ Section 8, T. 3 N., R. 53 E., M.D.B. &M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
(320 acres)
8. Existing place of use Section 13, T. 4 N., R. 54 E., M.D.B. &M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
(640 acres)
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) well, pump, sprinkler system.
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000.
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use.....5 years.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Michael V. Smith
Ernest E. Muller, Sr., Agent By s/ Ernest E. Muller
750 W. Pueblo St.
Reno, Nv., 89509

Compared.....am/se.....

Protested 2/1/85 by Roger Hockersmith
Pro. Overruled 11/09/90;
See Ruling #3754

.....APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 31434 is issued subject to the terms and conditions imposed in said Permit 31434 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

Any cancellation or withdrawal of this permit will result in the water reverting to the source and not the base right.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....5.4.....cubic feet per second., but not to exceed 1280 acre-
.....feet annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....January 9, 1992.....

Proof of completion of work shall be filed before.....February 9, 1992.....

Application of water to beneficial use shall be made on or before.....January 9, 1994.....

Proof of the application of water to beneficial use shall be filed on or before.....February 9, 1994.....

Map in support of proof of beneficial use shall be filed on or before.....February 9, 1994.....

Completion of work filed..... IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this.....9th.....day of.....January.....

Cultural map filed..... A.D. 19.....91.....

Certificate No..... Issued.....

CANCELLED APR 03 1995 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Michael Turnipseed P.E.
STATE ENGINEER

Michael Turnipseed P.E.
State Engineer